

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,	*
	*
PLAINTIFF,	*
	*
V.	* CASE NO. 1:05-CR-239-T
	*
JOSEPH L. KENNEDY,	*
	*
DEFENDANT.	*

MOTION TO CONTINUE

Comes now defendant, by and through undersigned counsel, and gives notice of the following possible conflict for hearing date:

1. The above styled cause has been set for change of plea on November 28, 2005 at 10:30 a.m.

2. Undersigned counsel has a previously set sentencing in Elmore County, Alabama, Circuit Court on November 28, 2005 at 8:00 a.m: State v. Miller, Case No. CC-2005-61.

3. Undersigned counsel cannot be certain that he will be able to complete the Elmore County sentencing in time to appear in this Court by 10:30 a.m.

WHEREFORE, because of the above conflict undersigned counsel requests that the hearing in the above styled case be reset to an afternoon setting on November 28, 2005 in the event counsel is not released from the Elmore County court

proceeding in time to attend the 10:30 am setting for this case.

Respectfully submitted this 22nd day of November, 2005.

s/Jeffery C. Duffey
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CERTIFICATE OF SERVICE

I hereby certify that on November 22nd, 2005, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following: Terry Moorer AUSA, P.O. Box 197, Montgomery, AL 36101.

s /Jeffery C. Duffey
JEFFERY C. DUFFEY
Attorney for
Joseph L. Kennedy